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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,858	02/23/2004	Min-soo Kim	Q77192	5461
23373 7590 12/12/2008 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
MERED, HABTE				
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2416				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/782,858

**Applicant(s)**

KIM ET AL.

**Examiner**

HABTE MERED

**Art Unit**

2416

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 8/29/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. The after final amendment filed on 8/29/2008 has been entered and fully considered.
2. Claims 1-3 and 5-11 are pending. Claims 1 and 5 are the base independent claims. All of the base independent claims have been amended.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1 and 5 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

**Claims 5-11** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 5-11 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. While the claims recite a series of steps or acts to be performed, a statutory "process" under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to

a different state or thing (Reference the May 15, 2008 memorandum issued by Deputy Commissioner for Patent Examining Policy, John J. Love, titled "Clarification of 'Processes' under 35 U.S.C. 101").

The instant **claims 5-11** neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process.

Furthermore, the claims (**i.e., particularly claim 5**) recite purely mental steps (transmitting, receiving and changing data) without tying the steps to one of the four statutory categories of invention recited.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-3** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gloe (US Pub. No. 20040083306) in view of Barker, Jr. et al (US 6, 982, 982 B1) and Prakash et al (Ravi Prakash, Sanket Nesargi, "MANETconf: Configuration of Hosts in a Mobile Ad Hoc Network", IEEE, 2002).

Regarding **claim 1**, Gloc'306 discloses a method of allocating an Internet Protocol (IP) address and detecting duplication of the IP address in a network environment (**See Figures 2, 6, and 7 – the actual network is shown in Figure 2 and the flow chart for detecting the duplicate IP address is shown in Figures 6 and 7**), comprising the steps of:

allocating an initial IP address to a terminal (**See Figure 6, element 603 and Figure 7, element 702, and Paragraphs 9 and 37. Note that the terminals are self configuring and generate IP address as indicated in paragraph 37. Namely host nodes 203 are self-configuring nodes which generate their own IP addresses.**);

sending and receiving broadcast messages (**In Paragraph 31, Gloc'306 discloses messages in Figure 2, network 204 messages are broadcast.**);

detecting duplication of the IP address while sending and receiving the broadcast messages (**Figure 7, step 704 and Paragraph 56 and Paragraph 169 and section 5.4. Specifically Gloc'306 teaches searching for duplicate IP address in the LAN 204 of Figure 2.**);

updating a Duplicate Address Detection (DAD) table through searches of at least one of a DAD table and a history table (**See Figures 4 and 5 showing the details of the DNS server and the local host node. Further in paragraphs 56 and 57 Gloc'306 conducts duplicate address check and then in paragraph 58 discloses generating a unique IP id and the host node element 525 of Figure 5 updating the DNS server of Figure 4 in elements 404 and 405 that contains the collection of IP addresses that make up the DAD table. Gloc'306 further reiterates this fact in**

**paragraph 65. Note that the Applicant did not claim the location of the DAD table. Further the DAD table can be assumed to even exist at the local host node as it has to contain some form of a table with its own unique IP address. The claim limitation is adequately met as the limitation is worded such that one of the tables is searched and not the history and DAD tables. See also Paragraphs 41, 87, 92, and 114);**

and wherein each entry of the Duplicate Address Detection (DAD) table is periodically updated by a broadcast message (Prakash'IEEE on page 1064 2<sup>nd</sup> Column, Section D.1, Lines 35-38 teaches the need to use periodic broadcast to achieve independence from using routing protocols).

Gloe'306 fails to expressly disclose a method of updating using one-hop broadcast messages. Gloe'306 in fact discloses in fact in paragraph 31 discloses broadcasting in a local area network which can be considered one-hop broadcasting.

However, the above mentioned claimed limitations are well known in the art as evidenced by Barker'982. In particular, Barker'982 discloses a method of updating using one-hop broadcast messages **(See Column 2, Lines 39-40 discussing single hop broadcast messages as an updating mechanism).**

In view of the above, having the method of Gloe'306 and then given the well established teaching of Barker'982, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the method of Gloe'306 as taught by Barker'982, since Barker'982 clearly states in Column 2, Lines 41-47

indicates that using single hop broadcast messages to only neighboring nodes is beneficial as it reduces network traffic load.

Gloe'306 fails to disclose a method of determining whether a collision of the IP address occurs using a DAD timer handler.

However, the above mentioned claimed limitations are well known in the art as evidenced by Prakash'IEEE. In particular, Prakash'IEEE discloses a method of determining whether a collision of the IP address occurs using a DAD timer handler (Prakash'IEEE's DAD timer is effectively the request\_reply\_timer indicated on page 1063 in the second column, in Lines 8-10. The request\_reply\_timer expiration effectively determines potential for collision of IP address. Prakash'IEEE uses the variable request\_reply\_retry threshold indicated on page 1063, 2<sup>nd</sup> column, in Lines 20-23 to indicate how many times the request\_reply\_timer (i.e. DAD timer) is set to obtain a very accurate list of IP addresses that have collided. The collision in this case is from an IP address already allocated to a departing node that has crashed or failed to communicate its departure from the MANET to other nodes. This mechanism is similar if not identical to what is taught by Applicant in the published specification in paragraph 56 and 57 and described as the restricted period of time, where the variable N corresponds to Prakash'IEEE's request\_reply\_retry threshold. Also, Prakash'IEEE on page 1062, 1<sup>st</sup> column, last bullet item indicates a sort of an immediate DAD timer associated with Allocate\_Pending list.

**Based on Applicant's Figure 9 the DAD timer handler simply increments sequence number. Equivalently, Prakash'IEEE teaches after the expiration of the request\_reply\_timer (i.e. DAD timer) a cleanup message sent to all nodes forcing deletion of the duplicate IP addresses from their respective Allocated sets as indicated in 2<sup>nd</sup> column, in Lines 26-30 on page 1063 and on page 1064 in the 1<sup>st</sup> column in Lines 17-21 Prakash'IEEE shows that sequence numbers are incremented by one each time an IP address is allocated or relinquished. Please note that history table for each node is taught on page 1064 in the 1<sup>st</sup> column in Lines 13-17 as well as DAD table as the combination of Allocated and Pending\_Allocated list.).**

In view of the above, having the method of Gloe'306 and then given the well established teaching of Prakash'IEEE, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the method of Gloe'306 as taught by Prakash'IEEE, since Prakash'IEEE clearly states on page 1063 in the 2<sup>nd</sup> column in Lines 8-25 the need to use a timer repetitively to determine accurately duplicate IP addresses while excluding erroneous indication of address conflicts caused by lost messages in the network.

Regarding **claim 2**, the combination of Gloe'306, Barker '982, and Prakash'IEEE discloses a method wherein the network environment is an ad-hoc network environment (Prakash'IEEE on page 1059, 1<sup>st</sup> column, in the first paragraph of the introduction describes a mobile ad hoc network known as MANET).



Regarding **claim 3**, Gloe'306 discloses a method wherein the terminal allocates the initial IP address to itself (See **Figure 6, element 603 and Figure 7, element 702, and Paragraphs 9 and 37**. Note that the terminals are self-configuring and generate IP address. Prakash'IEEE also teaches self configuration in a single Hop network as indicated on page 1060 Section A and as well as item 3 in Section B and in the last paragraph in the 1<sup>st</sup> column of page 1061).

7. **Claims 5-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Prakash et al (Ravi Prakash, Sanket Nesargi, "MANETconf: Configuration of Hosts in a Mobile Ad Hoc Network", IEEE, 2002) in view of Barker, Jr. et al (US 6, 982, 982 B1).

Regarding **claim 5**, Prakash'IEEE discloses a method of allocating an Internet Protocol (IP) address and detecting duplication of the IP address in a network environment (See **Page 1059, 1<sup>st</sup> column, Section 1, 1<sup>st</sup> paragraph – Prakash'IEEE system strictly involves a mobile ad hoc network also referred to as MANET**), comprising the steps:

(a) initially allocating a tentative IP address to a terminal (**Prakash'IEEE discloses on page 1060 in Section A the ZeroConf solution and in Section B the PMWRS solution where the terminal allocates a temporary address to itself and checks for duplicity by checking with neighboring nodes. This is reiterated in**

**item 4 of Section B on page 1060. Both ZeroConf and PMWRS solution are ideal in one-hop networks. Prakash'IEEE discusses a solution for a multi-hop network in Section V on page 1062. In part A of Section V Prakash'IEEE shows that the first node can assign an IP address to itself if it is the first in the network and in part B of Section V Prakash'IEEE shows the initiator node j assigns IP address x to new node l joining the MANET )**

**(b) determining whether the tentative IP address can be used by the terminal (Prakash'IEEE shows on page 1062 in Section V, part B, 2<sup>nd</sup> column, first two paragraphs checking tentative ip address x can be used by node i);**

**(c) comparing the tentative IP address with at least one other IP address (Prakash'IEEE shows on page 1062 in Section V, part B, 2<sup>nd</sup> column, first two paragraphs checking tentative ip address x is not found in Allocated and Allocated\_Pending of each node k including node j);**

**(d) if the tentative IP address has a duplicate, selecting an advisory IP address that does not exist (Prakash'IEEE shows on page 1062 in Section V, part B, 2<sup>nd</sup> column, third paragraph if tentative ip address x has a duplicate the initiator, node j, selects an advisory IP x');**

**(e) sending the advisory IP address to the terminal (Prakash'IEEE shows on page 1062 in Section V, part B, 2<sup>nd</sup> column, third paragraph if tentative ip address x has a duplicate the initiator, node j, selects an advisory IP x'. After the initiator determines the advisory ip, x', has no duplicate it assigns it to the requestor node i)**

(f) performing step (b) using the advisory IP address as the tentative IP address (Prakash'IEEE shows on page 1062 in Section V, part B, 2<sup>nd</sup> column, third paragraph if tentative IP address x has a duplicate the initiator, node j, selects an advisory IP x'. After the initiator determines the advisory ip, x', has no duplicate it assigns it to the requestor node i)

wherein the at least one other IP address is located in a Duplicate Address Detection (DAD) table, (Prakash'IEEE has some form of DAD table at least another IP address different from the tentative IP id being compared from the discussion on page 1062 2nd column Lines 1-5 from node j and k perspective Allocating\_Pending is effectively a DAD table with several entries like (x,j))

and wherein each entry of the Duplicate Address Detection (DAD) table is periodically updated by a broadcast message (Prakash'IEEE on page 1064 2<sup>nd</sup> Column, Section D.1, Lines 35-38 teaches the need to use periodic broadcast to achieve independence from using routing protocols).

Prakash'IEEE fails to expressly disclose a method of updating using one-hop broadcast messages. Prakash'IEEE in fact discloses on page 1061 in the 1<sup>st</sup> column in the last paragraph discloses support for link level broadcast and on page 1062 in the 2<sup>nd</sup> Column in Lines 1-4 discloses broadcasting to all nodes in the MANET effectively indicating it is capable of doing both single and multi-hop broadcasts.

However, the above mentioned claimed limitations are well known in the art as evidenced by Barker'982. In particular, Barker'982 discloses a method of updating

using one-hop broadcast messages **(See Column 2, Lines 39-40 discussing single hop broadcast messages as an updating mechanism).**

In view of the above, having the method of Prakash'IEEE and then given the well established teaching of Barker'982, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the method of Prakash'IEEE as taught by Barker'982, since Barker'982 clearly states in Column 2, Lines 41-47 indicates that using single hop broadcast messages to only neighboring nodes is beneficial as it reduces network traffic load.

Regarding **claim 6**, Prakash'IEEE discloses a method wherein the terminal allocates the tentative IP address to itself. **(See Prakash'IEEE on page 1062 section V part A where the first terminal assigns an IP address to itself. Since Prakash'IEEE's network is a multi-hop network and new requestor node while able to assign IP address to itself due to its inability to reach nodes multi-hops away a well established node in the MANET acts as an initiator as further discussed in part B of Section V).**

Regarding **claim 7**, Prakash'IEEE discloses a method wherein the network environment is an ad-hoc network environment **(See Page 1059, 1<sup>st</sup> column, Section 1, 1<sup>st</sup> paragraph – Prakash'IEEE system strictly involves a mobile ad hoc network also referred to as MANET).**

Regarding **claim 8**, Prakash'IEEE discloses a method wherein the network environment has no central server **(no central server is shown or taught by Prakash'IEEE as it is strictly an ad hoc network)**.

Regarding **claim 9**, Prakash'IEEE discloses a method, wherein at least one other IP address is located in a duplicate address detection (DAD) table **(Prakash'IEEE shows on page 1062 in Section V, part B, 2<sup>nd</sup> column, third paragraph if tentative ip address x has a duplicate the initiator, node j, selects an advisory IP x'. After the initiator determines the advisory ip, x', has no duplicate it assigns it to the requestor node i. The DAD table is a combination of the Allocated and the Allocate\_Pending list shown in the last two bullet items of section B on page 1062)**.

Regarding **claim10**, Prakash'IEEE discloses a method, wherein the advisory IP address does not exist in the DAD table **(Prakash'IEEE shows on page 1062 in Section V, part B, 2<sup>nd</sup> column, third paragraph if tentative ip address x has a duplicate the initiator, node j, selects an advisory IP x'. After the initiator determines the advisory ip, x', has no duplicate it assigns it to the requestor node i. The address x' is assigned to the requestor i by the initiator j when it is determined that x' does not exist in any of the DAD table of each of the valid nodes in the MANET. The DAD table is a combination of the Allocated and the**

**Allocate\_Pending** list shown in the last two bullet items of section B on page 1062).

Regarding **claim 11**, Prakash'IEEE discloses a method wherein a neighboring mobile terminal selects the advisory IP address. **(Prakash'IEEE shows on page 1062 in Section V, part B, 2<sup>nd</sup> column, third paragraph if tentative ip address x has a duplicate the neighboring initiator node, node j, selects an advisory IP x').**

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HABTE MERED whose telephone number is (571)272-6046. The examiner can normally be reached on Monday to Friday 9:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung S. Moe can be reached on 571 272 7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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